

State of Idaho
County of Bear Lake, SS

On the _____ day of _____, 19____
before me, the undersigned Notary Public, Patrick J.
Thompson who, being first duly sworn by me, did say
President and Secretary, respectively, of Bear Lake
the above Owner's Dedication was signed in behalf of
by authority of the Articles of Incorporation and it
did acknowledge to me that said corporation executed

My commission expires _____

Residing at _____

Notary

COUNTY COMMISSION APPROVAL AND ACCEPTANCE

Approved and accepted by the Bear Lake County Commission
day of _____, 19____.

Attest _____

Clerk

Chairman

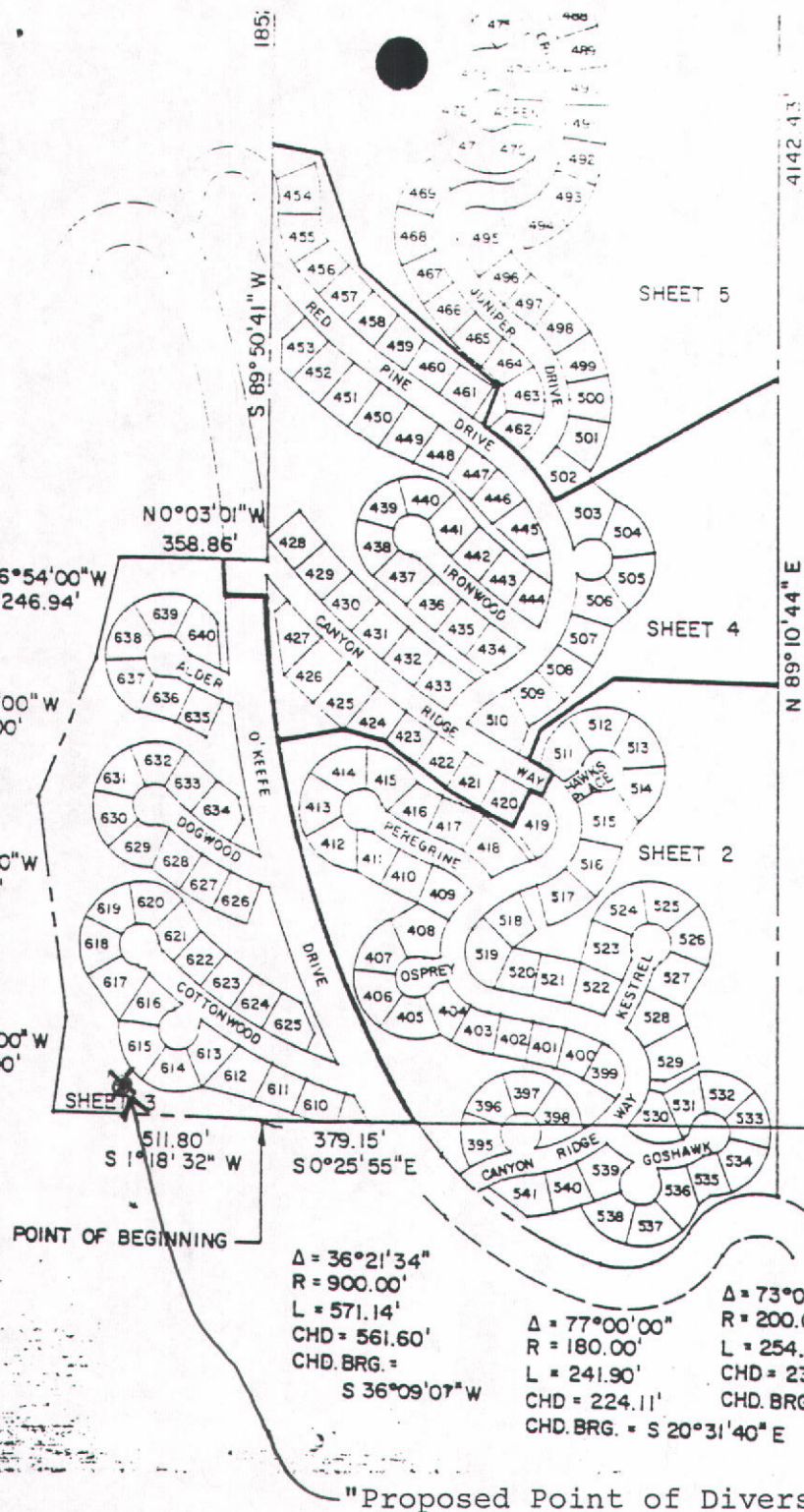
COUNTY ENGINEER'S APPROVAL

Reviewed and approved by the Bear Lake County Engineer
day of _____, 19____.

County Engineer

SANITARY RESTRICTIONS

Sanitary restrictions in force under Title 50, Chapter



$\Delta = 36^{\circ}21'34''$
 $R = 900.00'$
 $L = 571.14'$
 $CHD = 561.60'$
 $CHD. BRG. =$
 $S 36^{\circ}09'07''W$

$\Delta = 77^{\circ}00'00''$
 $R = 180.00'$
 $L = 241.90'$
 $CHD = 224.11'$
 $CHD. BRG. = S 20^{\circ}31'40''E$

$\Delta = 73^{\circ}00'00''$
 $R = 200.00'$
 $L = 254.82'$
 $CHD = 237.93'$
 $CHD. BRG. = S 22^{\circ}31'40''E$

NW CORNER
SEC. 22, T16S,
R43E, B.M.



FOREGREN-PERKINS ENGINEERING, P.A.

BEAR LAKE WEST PROPERTIES NO. 1

PLAT 'C'

PART OF
SECTIONS 21 & 22, T16S, R43E, B.M.
BEAR LAKE COUNTY, IDAHO

1 OF 5
NOV 28 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 27 1997

PROOF OF BENEFICIAL USE Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 11-07424 Telephone No. 801-255-6100
2. Name(s) of Permit Holder(s): BEAR LAKE WEST Property Owners Association
3. Mailing Address: P.O. Box 2086, SANDY, UT 84091-2086
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 11 / yr. 95
 - a. Well Driller: WEST LAKE Drilling Permit Number: 11-95-E-0024
 - b. **OPTIONAL:**
Pump Horsepower: 20 Pressure (psi): _____ Dynamic pumping level (ft): 380
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 50 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .33 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ☒	or No ☐
	Has the measuring device been installed?	Yes ☒	or No ☐
Flow Measurement Port:	Is a flow measurement port required?	Yes ☐	or No ☒
	Has the measurement port been installed?	Yes ☐	or No ☒
8. Fee Enclosed: \$ 100⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: STEVE HOWARD Telephone Number: 801-539-4067
Address: 962 E. BIRCHWOOD DR., SALT LAKE CITY, UT 84121
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Steve Howard Chairman
(include your title, if on behalf of company or organization)

Date: 10-21-97

MICROFILMED
DEC 08 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 11-07424

Proposed Priority: August 22, 1994 Maximum Diversion Rate: 0.33 CFS

This is to certify, that **BEAR LAKE WEST PROPERTY OWNERS ASSN**

PO BOX 71

FISH HAVEN ID 83287-0071

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.33 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 21, Township 16S, Range 43E
BEAR LAKE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

16S 43E	21	NENE	SENE
	22	NWNW	

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1999**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. Place of use is located within Bear Lake West Properties No. 1, Plat C Subdivision.
9. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
10. Domestic use is for 50 homes.

NOV 28 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 11-07424

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

7th day of November, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

NOV 28 1994

RECEIVED
OCT 06 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 11-7424

RECEIVED
AUG 22 1994

Department of Water Resources To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant BEAR LAKE WEST PROPERTY OWNERS ASSN. Phone (801) 966-4190

Post office address P.O. Box 71, Fish Haven Idaho 83287-0071

2. Source of water supply Ground Water which is a tributary of n/a

3. Location of point of diversion is 1/4 of NE 1/4 of SE 1/4, Govt. Lot

Sec. 21 Township 16S Range 43E B.M. Bear Lake County; additional
none.

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.33 for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.33 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Drilled well with pump, and
cement reservoir.

b. Height of storage dam n/a feet; active reservoir capacity 50,000 Gal ~~acre-feet~~ total
reservoir capacity 5,544 cubic ~~acre-feet~~ acres; period of year when water will be diverted to storage:

01-01 to 12-31 inclusive.

c. Proposed well diameter is 6" inches; proposed depth of well is ,800 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No.

e. If well is already drilled, when? _____; Drilling firm Westlake Drilling Co.

Well was drilled for (well owner) n/a

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

5 years (minimum 1 year).

NOV 28 1994

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower: show total feet of head and proposed capacity in KW. _____
- b. Stockwatering: list number and kind of livestock. n/a
- c. Municipal: show name of municipality. n/a
- d. Domestic: show number of households. 50
- e. Other: describe fully. None.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16S	43E	22						D											5 (approx)
16S	43E	21	D			D													125 (approx)

Total number of acres to be irrigated 130

10. Describe any other water rights used for the same purposes as described above. None.

11. a. Who owns the property at the point of diversion? Bear Lake West Property Owners Assn.
- b. Who owns the land to be irrigated or place of use? Individual owners/members BLWPOA

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Applicant is a current member of the Board of Directors of the Bear Lake West Property Association. Applicant is specifically authorized by resolution to submit this application.

12. Remarks: This application covers the proposed well to be drilled which will provide service to "Plat C" of the Bear Lake West Subdivision in Bear Lake County. Westlake Drilling Co. (contractor) is scheduled to commence drilling in mid-August, 1994. Inasmuch as timing is critical, expeditious consideration and approval of this application will be greatly appreciated. Thank you.

NOV 28 1994

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

SEE ATTACHED COPY OF PLAT:

1. Proposed point of diversion is marked thereon.
2. Place of use is contemplated to be domestic use for 50 homes.
The domestic use sought to be authorized shall not exceed 13,000 gallons per day per dwelling
3. Applicant seeks authority to permit irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.
4. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1999.
5. Place of use is located within Bear Lake Properties #1, Plat C.

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

M. H. W.
(Applicant)
John H. ... (Permit)

NOV 28 1994

Received by RT Date 8-2-94 Time _____ Preliminary check by _____
Fee \$ 100⁰⁰ Receipted by RT # PC01094 Date 8-22-94
Publication prepared by RB Date 9-15-94 Published in News-Examiner
Publication approved RB Date 10-4-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

APPROVED

NOV 28 1994

State of Idaho
County of Bear Lake

On the _____ day of _____, 19____,
before me, the undersigned Notary Public, Patricia L.
Thompson who, being first duly sworn by me, did say
President and Secretary, respectively, of Bear Lake
the above Owner's Dedication was signed in behalf of
by authority of the Articles of Incorporation and I
did acknowledge to me that said corporation executed

My commission expires _____

Residing at _____

Notary

COUNTY COMMISSION APPROVAL AND ACCEPTANCE

Approved and accepted by the Bear Lake County Commission
day of _____, 19____.

Attest _____

Clerk

Chair

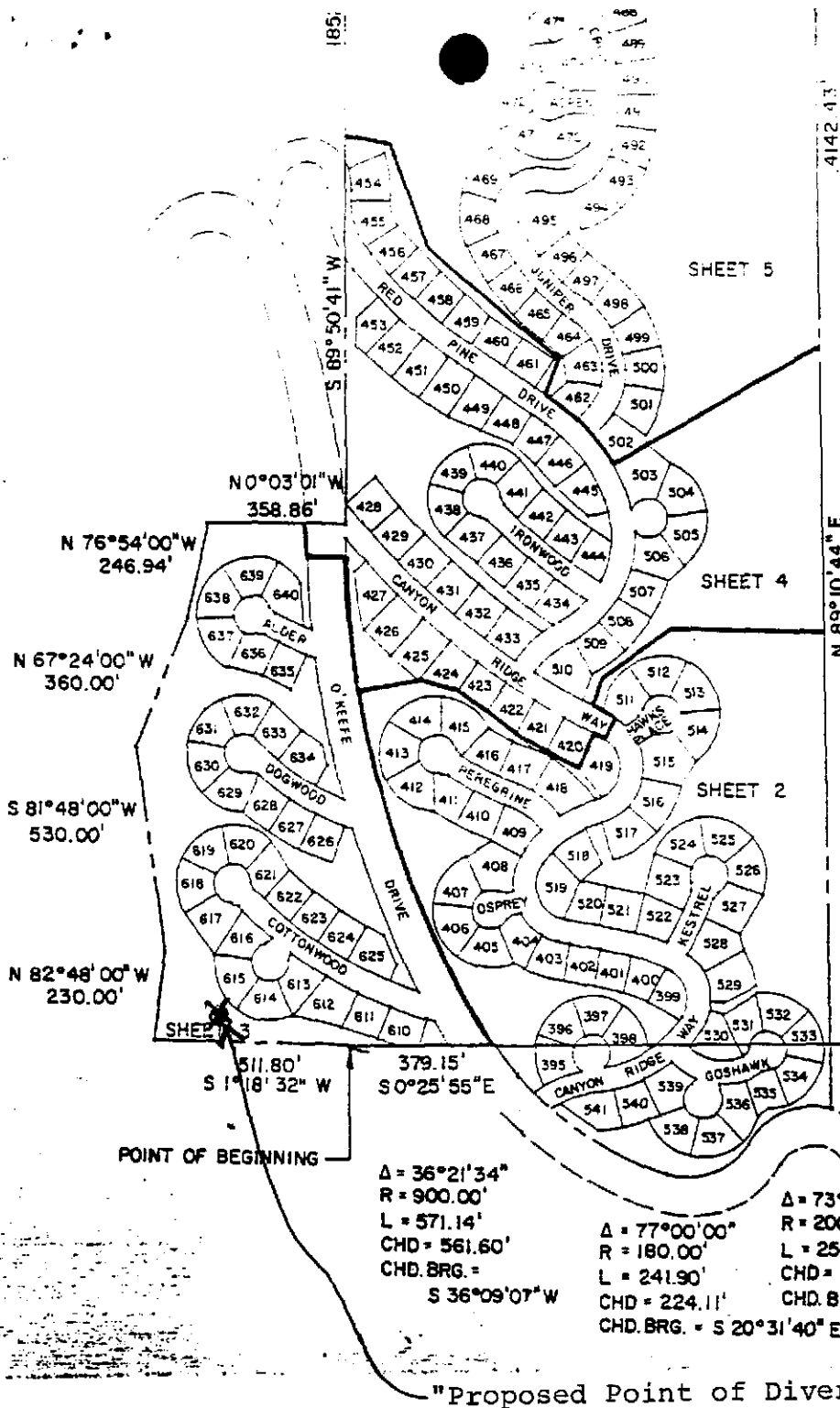
COUNTY ENGINEER'S APPROVAL

Reviewed and approved by the Bear Lake County Engineer
day of _____, 19____.

County Engineer

SANITARY RESTRICTIONS

Sanitary restrictions in force under Title 50, Chapter



FORSGREN-PERKINS ENGINEERING, P.A.

BEAR LAKE WEST PROPERTIES NO. 1

PLAT 'C'

PART OF
SECTIONS 21 & 22, T16S, R43E, S.M.
BEAR LAKE COUNTY, IDAHO

1 OF 5
NOV 28 1994

... plat, have
lots, streets,
... plat, and hereby
... and encumbrances
... and common areas
... Homeowners Associa-
... a perpetual easement
... this plat. Other
... to the public,
... reserved for public
... hereon designated.
... designated, shall
... In witness whereof
... of

... personally appeared
Patrick O'Keefe and Emmett
... did say that they are the
... Lake West, Inc., and
... on behalf of said corporation
... and the aforesaid officers
... executed the same.

Notary Public

I, Douglas C. Jensen, do hereby certify that
Professional Engineer Land Surveyor and that I hold Certificate
No. 3276 as prescribed by the laws of the State of Idaho. I
further certify that, by authority of the owner, I have made a
survey of the tract of ground shown on this plat and described
below and have subdivided said tract into lots, streets, ease-
ments and common areas and the same has been correctly surveyed
and staked on the ground as shown on this plat and that this
plat is true and correct.

BOUNDARY DESCRIPTION

Beginning at a point South 0°25'55" East, 2633.78 feet from the
Northwest Corner of Section 22, Township 16 South, Range 43 East,
Boise Meridian and running thence South 1°18'32" West, 511.80
feet; thence North 82°48'00" West, 230.00 feet; thence South
81°48'00" West, 530.00 feet; thence North 67°24'00" West 360.00
feet; thence North 76°54'00" West, 246.94 feet; thence North
0°03'01" West, 358.86 feet; thence South 89°50'41" West, 1852.45
feet; thence North 583.73 feet; thence East 795.06 feet; to the
National Forest Boundary; thence North 0°10'03" East along said
boundary 629.79 feet; thence North 89°10'44" East, 4142.43 feet;
thence along the arc of a 200.00 foot radius curve to the left
254.82 feet (chord bears South 22°31'40" East, 237.93 feet);
thence along the arc of a 180.00 foot radius curve to the right
241.90 feet (chord bears South 20°31'40" East, 224.11 feet);
thence along the arc of a 900.00 foot radius curve to the right
571.14 feet (chord bears South 36°09'07" West, 561.60 feet);
thence South 0°25'55" East, 379.15 feet to the point of beginning.
containing 121.03 acres.

Date

Douglas C. Jensen
Idaho PE-LS No. 3276

NOV 28 1994

PROPERTY OWNER'S ASSOCIATION
BEAR LAKE WEST II PROPERTIES B & C
1993/94 BOARD MEMBERS

Michael M. Homer, President
2022 W. 5540 S.
Salt Lake City, UT 84118
(801) 966-4190

Michael Wray, Vice President
9 Exchange Place, Suite 900
Salt Lake City, UT 84111
(801) 359-2230

Steve Howard, Secretary
962 E. Birchwood Drive
Salt Lake City, UT 84121
(801) 262-3440

Paul Underwood, Treasurer
3671 S. Oxford Way
West Valley City, UT 84119
(801) 968-4376

Daniel Wheatley
944 Hillview Road
Brigham City, UT 84302
(801) 723-7405

Gary McKee
P.O.Box 396
Fish Haven, ID 83287
(208) 945-2315

Jeff Willmore
P.O.Box 396
Fish Haven, ID 83287
(208) 945-2222

RECEIVED

NOV 28 1994

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 11-07424 Reviewed by [Signature] Date 11-21-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 11-95-E-0024-000
200- Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100- Amount Submitted
yes Correct?
yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address PO Box 2086 Proof Made 10-27-97
Sandy UT 84091



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 2, 1997

BEAR LAKE WEST PROPERTY
OWNERS ASSN
PO BOX 2086
SANDY UT 84091-2086

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07424

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

DEC 08 1997

copied for Water sent
Rights 6-11-96

Original 11-95-E-0024-000 ~~11-95-E-0024-000~~
Abandoned see 11-95-E-0024-300

Then Replacement will drilled see
attached 11-95-E-0024-200

AUGUST 21, 1995

RECEIVED

DENNIS

AUG 23 1995

Department of Water Resources
Eastern District Office

ENCLOSED IS A WELL REPORT FOR BEAR LAKE WEST PROPERTY OWNERS. AFTER HAVING TROUBLE TRYING TO INSTALL THE 10" CASING, WE HAVE DECIDED TO PERMANENTLY ABANDON THE WELL. I HAVE SENT AN ABANDONEMENT REPORT TO BOISE TO MARK SLIFKA. I WAS IN HIS OFFICE ON THE 16TH OF THIS MONTH AND HE ADVISED ME AS TO THIS JOB. THE OWNERS WISH TO KEEP THIS DRILLING PERMIT (#11-95-E-024) OPEN FOR THE ONE YEAR FROM ITS DATE OF ISSUE. THE OWNERS WILL BE GETTING IN CONTACT WITH YOU TO MAKE SURE THIS WATER RIGHT #11-07424 WILL BE USABLE FOR A NEW LOCATION. IF THEY CAN DECIDE ON A NEW LOCATION AND HAVE THEIR PERMITS IN ORDER THEY MAY LIKE TO DRILL THIS FALL. THANK YOU FOR ANY HELP YOU MIGHT GIVE TO THIS MATTER.

E. Ray Westlake
MICROFILMED

DEC 6 1997

WESTLAKE DRILLING
3134 E RIVERDALE RD
PRESTON, ID 83263-5237

1-26-96

WELL FOR BEAR LAKE WEST
WAS UNABLE TO BE
SEALED, AS WINTER
STOPPED ACCESS INTO
LOCATION. WE WILL
SEAL WELL IN LATE
SPRING OF 96, WHEN
IT IS ACCESSABLE.

E. Roy Woodcock

MICRO
SEC 5 11 11

c

A. A. HUDSON
and
ASSOCIATES



14166 CLEVELAND RD.
PRESTON, IDAHO 83263

January 17, 1996 (208) 427-6214

180 EAST 2nd SOUTH
SODA SPRINGS IDAHO 83276
(208) 547-4141

State of Idaho
Department of Water Resources
Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

DD

RE: Drilling Permit 11-95-E-0024-²⁰⁰~~0000~~

Dear Mr. Dunn:

I am submitting the results of the pump test that was conducted on January 4 & 5, 1996, for the Bear lake West Property Owner's Association. The well is located within the boundary of the "Plat C" Subdivision in SW $\frac{1}{4}$ /NE $\frac{1}{4}$ Section 21 Township 16 South, Range 45 East, Boise Meridian. The summary of the pump test results are as follows:

<u>Pumping Rate (GPM)</u>	<u>Time (HRS)</u>	<u>Aquifer Elev. (Ft. *)</u>
0	0-1 *	260.00
100	1-2	284.00
100	2-3	284.00
100	3-4	284.00
100	4-5	284.00
100	5-6	284.00
150	6-	294.00
0	6.25	260.00

* - Measured continuously, readings every 15 mins.

If you have any questions regarding the pump test, please call.

Sincerely,

Mitchell Greer, EIT
Project Engineer

jmg/sks

cc: Steve Howard
Bill Smith
Wendell Law

95158dwr.let
1/17/96

MICROFILMED

DEC 9 8 1997

JAN 18 1996
Department of Water Resources
Eastern District Office

LAND SURVEYORS

CIVIL ENGINEERS

August 21, 1995

DENNIS

RECEIVED

AUG 23 1995

Department of Water Resources
Eastern District Office

RECEIVED

SEP 05 1995

Department of Water Resources

ENCLOSED IS A WELL REPORT FOR BEAR LAKE WEST PROPERTY OWNERS. AFTER HAVING TROUBLE TRYING TO INSTALL THE 10" CASING, WE HAVE DECIDED TO PERMANENTLY ABANDON THE WELL. I HAVE SENT AN ABANDONMENT REPORT TO BOISE TO MARK SLIKKA. I WAS IN HIS OFFICE ON THE 16TH OF THIS MONTH AND HE ADVISED ME AS TO THIS JOB. THE OWNERS WISH TO KEEP THIS DRILLING PERMIT (#11-95-E-024) OPEN FOR THE ONE YEAR FROM ITS DATE OF ISSUE. THE OWNERS WILL BE GETTING IN CONTACT WITH YOU TO MAKE SURE THIS WATER RIGHT #11-07424 WILL BE USABLE FOR A NEW LOCATION. IF THEY CAN DECIDE ON A NEW LOCATION AND HAVE THEIR PERMITS IN ORDER THEY MAY LIKE TO DRILL THIS FALL. THANK YOU FOR ANY HELP YOU MIGHT GIVE TO THIS MATTER.



MICROFILMED

DEC 8 8 1997

WESTLAKE DRILLING
 3134 E RIVERDALE RD
 PRESTON, ID 83263-8237



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 7, 1994

BEAR LAKE WEST PROPERTY OWNERS ASSN
PO BOX 71
FISH HAVEN ID 83287-0071

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 11-07424

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

NOV 28 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 11-7424 Name: Bear Lake West POA Date: 11/2/94 Correct Fee? ☒

AREA OF CONCERN? - No/Yes BR Mor GWMA Trust/Non-trust

SYSTEM COMPLETED:

No

~~complete in 1 year~~

Yes

Proof not submitted

Proof submitted

GROUNDWATER:

+ 0.2 cfs <FLO-CH>

~~- 0.2 cfs~~

Drilling Permit:

Included w/permit

Existing well

No WD permit?

SURFACE WATER: not in WD

LOCATION:

Water District(~~dem~~)

*Surface water

(doesn't sink)

Groundwater

In stream channel

Irr Dist/Canal Co.

Drainage Districts

Flood Control Dist.

Boise Front (63)

Swan Falls Flag

Trust

Non Trust <1>

RIVER BASINS (*Surface water):

Boise R(63)

Payette R(65)

Snake R(01/02/03)

USE:

Fish Propagation

Irrigation

Power

Mining

Storage(✓ 3 compo.)

Domestic (surface)

OWNERSHIP:

Non land owner

PROTESTED:

OTHER CONDITIONS:

REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- No/Yes BR Mor GWMA Trust/Non-trust

- 26A-P17

- P16

- P16

- NA

- T17 (new), 01K (existing), No MD

- No MD <FLOW CHART>

- Permit No. , P99

- NA (pre 7/1/87)

- 046-~~46A(Irr)~~-46B-P23 (post 7/1/87)

- T17 (+.2 w/pump), No MD <FLOW CHART>

- WD No.

- 005 (req) 01J-P08 <FLOW CHART>

- or 01H-P01 <FLOW CHART>; No MD

- P05 (new irrigation well)

- 030 (stream channel alteration)

- 023 (Twin Falls area)

- 024

- 063

- 058 (-85° GW temp only)

- B <SEE CONDITION CODE CHART>

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 05A (if WD), 11E (non-domestic use), NA

- 064(consump. use), 047-P04(Payette Lake), NA

- 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

- 07A-042 (req) & 010/06A/09E(WQ)-P10

- 044 (N 1000 Spr)

- 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA

- 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

- +25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09

- 054 (req) & 06A/010/09E-P10

- 18A(multi MD in WD), 18B-P09 (+10' dam), NA

- 021(Boise R ↑ L Peak), 064(Payette R), NA

- 004 (PD/PU) Individual Property Owners

- 020(Prehearing agreement)/W19(See Order)

- ① w01/50 ② w04 ③ PD - Bear Lake West Prop #1 Plat C

- 11-1-1999

WR0749NP
No. P11-07424

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/02/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEAR LAKE WEST PROPERTY OWNERS ASSN PO BOX 71 FISH HAVEN ID 83287-0071 (801) 966-4190	08/22/1994	DOMESTIC	01-01 12-31	0.33 CFS	
TOTAL DIVERSION:					0.33 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T16S R43E S21 NESE BEAR LAKE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16S	43E	21	:	D				D											
16S	43E	22	:							D									

Pou County: BEAR LAKE

Conditions of Approval:

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 468 - Construction of the well must comply with Idaho well construction standards.
- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.

Remarks: Place of use is located within Bear Lake West Properties No. 1, Plat C Subdivision.
The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
Domestic use is for 50 homes.

Dates: App. Received: 08/22/1994 Priority Date: 08/22/1994
Proof Due Date: 11/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. P11-07424

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/02/94
PAGE: 2

=====

Comments: Date: 11/02/1994 User-ID: CZIMMERM Subject: P/U OWNERSHIP
The place of use is located on property owned by the individual
residents of Bear Lake West Properties #1, Plat C Subdivision.
The applicant has covenant agreements with lot owners.

Audit: 11/02/94 CZIMMERM

Dist. for staffing
Submitted for advertising 8-26-94

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HUT DATE 8-26-94 APPLICATION NO. 11-7424
Bear Lake West Property Owners Assn.
REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

Overlapping place of use (Describe source & relationship to present application on the back.)

Overlapping point of diversion

☐ Yes ☒ No Field check required

Field check by _____

☐ Yes ☒ No Field report attached

☐ Yes ☒ No Critical groundwater area

☐ Yes ☒ No Groundwater management area

☐ Yes ☒ No Send dam safety information

☐ Yes ☒ No Send power requirement letter

☐ Yes ☒ No Send fish farm requirement letter

☐ Yes ☒ No Power residency affidavit

☐ Yes ☒ No Power efficiency form

☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)

☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

Date Requested

RECEIVED
OCT 06 1994

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 10-3-94
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations, attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ See below for additional information
By HUT Date 8-22-1994
10-4-94

STATE OFFICE REVIEW

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

* Other Bear Lake West right on adjacent lots

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

No 4842

RECEIVED

OCT 03 1994

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake

ss.

Rosa A. Moorman

being duly sworn,

deposes and says:

That he is the *Editor* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

September 14, 19*94*, and ending with the issue of *September 21*, 19*94*.

Rosa A. Moorman
Fees, *\$40.10*

Subscribed and sworn to before me this *28th* day of *September*, 19*94*.

Sherry Brown

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *August 15*, 19*97*

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

11-07424

BEAR LAKE WEST PROPERTY OWNERS ASSN

PO BOX 71

FISH HAVEN, ID 83287

Source: GROUNDWATER

Diversion Pt: NESE Sec 21 T16SR43E in BEAR LAKE County.

Use: DOMESTIC (.330 CFS)

Total Diversion: (.330 CFS)

Date Filed: 8/22/1994

In: BEAR LAKE County

T16S R43E S21 NENE SENE

S22 NWNW

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 3, 1994.

R. KEITH HIGGINSON, Director

Legal No. 4842 — Published September 14 and 21, 1994.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 6, 1994

THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 3, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

NOV 28 1994

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

RECEIVED

NOV 16 1934

11-07424

BEAR LAKE WEST PROPERTY OWNERS ASSN
PO BOX 71
FISH HAVEN, ID 83287

Source: GROUNDWATER

Diversion Pt: NESE Sec 21 T 16S R 43E in BEAR LAKE County.

Use: DOMESTIC (.330 CFS)
Total Diversion: (.330 CFS)

Date Filed: 8/22/1994

In: BEAR LAKE County
T16S R43E S21 NENE SENE
S22 NWNW

RECEIVED
NOV 28 1994

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R. KEITH HIGGINSON, Director

Published: 9/15/1994 & 9/22/1994

NOV 28 1994

06-Sep-1994

ID DEPT OF ENVIORNMENTAL QUALITY
224 S ARTHUR
POCATELLO ID 83204

RE: Application No. 11-07424

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 10/03/1994, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ:rb
enc

06-Sep-1994

BEAR LAKE WEST
PROPERTY OWNERS ASSN
PO BOX 71
FISH HAVEN ID 83287

RE: Application No. 11-07424

Dear Water Right Applicant:

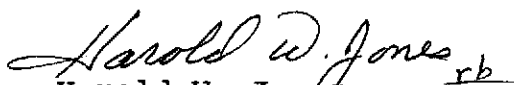
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the NEWS EXAMINER on 09/15 & 22/1994. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:rb

RECEIVED
NOV 28 1994

RECEIVED

AUG 26 1994

August 19, 1994

Department of Water Resources
Eastern District Office

Ms. Cindy Zimmerman³, Water Resource Agent
Idaho State Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RECEIVED

AUG 22 1994

Department of Water Resources

Dear Cindy

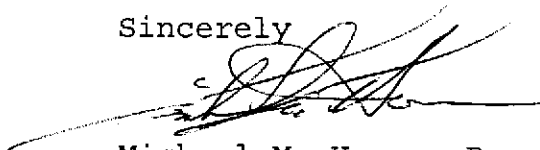
I very much appreciate the time and consideration you have given us concerning our application for a water permit for Plat C. We were finally able to obtain copies of the application filed by Mr. Michael Wray in mid-June.

I have enclosed the copies of the application, plat map, Mr. Wray's letter and a copy of the check he wrote for the application fee. Additionally, I am enclosing a check for \$100 for the application fee and a copy of the list of 1993-94 POA Board members.

In reviewing the application we have added corrections on item 3. Location. If the first "1/4" needs to be completed it would read as follows: NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____ Sec 21. The reason we did not include the first "1/4" is to provide the well driller flexibility in drilling to obtain water. If you need the first "1/4" please add that to our application. Additionally, we re-located, more accurately the proposed point of diversion on the map. As association president, I have signed below the copied signature of Michael Wray.

I would appreciate your review of these documents and notifying me by phone (W=801-957-4321, H=801-966-4190) if this is an adequate application or if there is additional information that needs to be clarified to consider our application formally submitted. Any assistance you can provide in expediting the application review process will be greatly appreciated.

Sincerely



Michael M. Homer, President (P.O.A.)
2022 W. 5540 S.
Salt Lake City, UT 84118

NOV 28 1994

LAW OFFICES OF
AMANN & WRAY, L.C.

SUITE 900
NINE EXCHANGE PLACE
SALT LAKE CITY, UTAH 84111
TELEPHONE: (801) 359-2230
FACSIMILE: (801) 534-0515

MICHAEL H. WRAY

PAUL G. AMANN

June 15, 1994

State of Idaho Dept. of Water Resources
1301 N. Orchard St., Statehouse Mail
Boise, ID 83720-9000

RE: Bear Lake West Properties No. 1, Plat 'C'
Application for Permit to Appropriate Water

Dear Sir or Madam:

I am currently the Vice-President of the Board of Directors of Bear Lake West Property Owner's Association, Inc., an Idaho, non-profit corporation. The association is comprised of all record owners of property located within Bear Lake West Properties No. 1 Plats 'B' and 'C'. I have been specifically authorized and instructed by the Board to submit for your approval the enclosed application for permit to appropriate water. Also please find enclosed my check in the amount of \$35.00 which I understand to be the application fee.

It is anticipated that, assuming the application for permit is approved, the contractor hired to drill the proposed well will commence drilling by mid August 1994. Currently there are members who are awaiting water service to their domestic dwellings. Your prompt review of the application for permit will therefore be greatly appreciated. Although the application itself provides the telephone number (801) 966-4190, I would appreciate hearing directly from you if there are problems, questions or concerns regarding this application.

Thank you for your attention to this matter.

Very truly yours,

Michael H. Wray

Michael H. Wray

Enclosures

MHW/pb

NOV 16 1994

MICHAEL H. WRAY 1-90
9 EXCHANGE PLACE #900 359-2230
SALT LAKE CITY, UT 84111

1784
31-2/1240

PAY TO THE
ORDER OF

State Dept of Water Revenue

DOLLARS

thirty five and no/100

6-15 19 *94*

\$ *35*^{*00*}/_{*100*}



First Interstate Bank
of Utah, N.A.
Main Office
160 South Main Street
Salt Lake City, Utah 84101

FOR *Barbara West Fox Apple*

Michael H. Wray

⑈001784⑈ ⑆124000025⑆ 02 64317 9⑈

MEMORANDUM RECEIVED

DATE: August 23, 1994

AUG 26 1994

TO: File

Department of Water Resources
Eastern District Office

FROM: Cindy Zimmerman

SUBJECT: Michael Wray's letter & check dated 6/15/94

=====

The photocopy of the check does not indicate the check was a cancelled check. However, I did searched the account receivable database for the month preceding and following the date of Mr. Wray's check but found no receipt for this application.

A search of the water right database by point of diversion and place of use did not turn up an application filed by the Mr. Wray or Bear Lake West on or near 6/15/94.

NOV 28 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 23, 1994

Bear Lake West Property Owners Association
c/o Michael Homer, President
2022 W. 5540 S.
Salt Lake City UT 84118

RECEIVED
AUG 26 1994
Department of Water Resources
Eastern District Office

RE: Application for Permit for Bear Lake West Properties #1,
Plat C

Dear Dr. Homer:

Yesterday I received your application on Bear Lake West,
Plat C and photocopies of Mr. Wray's letter and check of
June 15, 1994.

The application is complete and I have forwarded it to our
Eastern Region office in Idaho Falls for processing and
advertising.

I searched the department's accounts receivable database but
was unable to find any record of an application fee received from
either Michael H. Wray, Amann & Wray, or Bear Lake West at any
time in June 1994.

A search of the water right database on the listed point of
diversion and place of use also did not show any record of the
application.

As you requested, I telephone you today to notify you of my
findings and left a message on your voice mail.

If you have any further questions or require assistance,
please feel free to contact me directly at (208) 327-7944.

Respectfully,

Cindy Zimmerman
Water Resource Agent

NOV 28 1994